

CONGRESSIONAL.

Thirty-Fifth Congress—First Session.
THURSDAY, DEC. 17, 1857.

SENATE.

Hon. S. R. MALLORY, from the State of Florida, and Hon. SAM HORTON, from the State of Texas, appeared in their seats this morning.

A large number of petitions were presented, and referred to the appropriate committees; also, sundry papers were withdrawn from the files of the Senate for the purpose of reference.

NOTICES OF BILLS.

Mr. BROWDER gave notice of his intention to introduce a bill to authorize and direct the payment of certain moneys into the treasury of the State of California which were collected in the ports of said State as a revenue upon imports since the ratification of the treaty of peace between the United States and the republic of Mexico, and prior to the admission of said State into the Union.

Mr. BAYARD gave notice of his intention to introduce a bill to provide for the public printing, binding, and engraving.

Mr. WILSON gave notice of his intention to introduce a bill granting to the cities of Washington and Georgetown one million acres of the public lands for the support of common schools.

BILLS OF THE DISTRICT OF COLUMBIA.

Mr. SLIDELL submitted the following resolution: which was considered by unanimous consent and agreed to:

Resolved, That a select committee of five be appointed by the President pro tempore to examine into the condition of the corporations or associations acting as banks of deposit, discount, and issue in the District of Columbia, and the authority under which said corporations or associations assume to transact the business of banking, with power to send for persons and papers, and to examine and report thereon, also, to inquire whether any, and what, further legislation is necessary to regulate and control banks of deposit, circulation, and issue in the District of Columbia, and to report by bill or otherwise.

The President pro tempore accordingly appointed Messrs. SLIDELL, POSE, BROWDER, THOMSON of New Jersey, and HALE as said committee.

RESOLUTIONS ADOPTED.

On motion by Mr. TRUMBULL, a resolution was adopted that the credentials of the sitting members of the Senate from the State of Indiana, together with all the papers on file protesting against their right to hold seats, or relating to their election as senators in Congress by the legislature of Indiana, be referred to the Committee on the Judiciary.

On motion by Mr. GWIN, a resolution was adopted that so much of the President's message and accompanying documents as refers to the subject of a national railroad from the Mississippi valley to the Pacific coast be referred to a select committee of nine members, to be appointed by the President pro tempore.

The President pro tempore accordingly appointed Messrs. GWIN, DOUGLAS, BROWN, HORTON, SEWARD, BAZZ, POSE, and THOMSON as said committee.

On motion by Mr. SEWARD, a resolution was adopted requesting the President of the United States, if compatible with the public interest, to communicate to the Senate copies of any correspondence which may have taken place between the Department of State and the British and French ministers on the subject of claims for losses alleged to have been sustained by subjects of Great Britain and France at the bombardment of Greytown.

KANSAS AFFAIRS.

Mr. TRUMBULL remarked that the resolution adopted yesterday, calling for the correspondence, orders, instructions, &c., in relation to the affairs of Kansas, did not cover the whole ground, as only the governor of Kansas was mentioned, whereas it was well known that that officer had been absent from the territory a portion of the time. He therefore submitted the following resolution:

Resolved, That the President be requested to communicate to the Senate all correspondence between himself or any of the departments and any governor, or other officer or person, in the employment of the government in Kansas Territory not heretofore communicated, together with all orders and instructions which have been issued to the governor of said Territory, or any other officer or person in said Territory, in relation to Kansas affairs.

Mr. MASON asked that it might lie over.

Mr. PUGH submitted the following resolution as a substitute for that on Mr. Trumbull's motion:

Resolved, That the President be requested to communicate to the Senate copies of the following documents:

1. Return of the votes taken in Kansas Territory at the October election, 1856, upon the question of calling a convention to frame a constitution and State government.
2. Act of the territorial legislature (in obedience to that vote) calling such a convention, and providing for the appointment and election of delegates to the same.
3. The census and registration of voters, by counties or precincts, as taken under that act.
4. The apportionment of delegates made upon the returns of such census and registration of voters, and the several elections heretofore specified.
5. Returns of the election by counties for delegates to the convention.
6. Returns of the last election, by counties, for members of the territorial legislature and a delegate in Congress.
7. Proclamations of the governor or acting governor upon the subject of the census, registration of voters, and the several elections heretofore specified.
8. Journal of the convention held at Leocompton to frame a constitution and State government.

These resolutions accordingly lie over until to-morrow, under the rule.

BILLS INTRODUCED.

Mr. FOOT, in pursuance of notice, asked and obtained leave to introduce a bill for the relief of George P. Marsh, and a bill to grant a pension of one hundred and fifty dollars of the public lands to actual settlers. Also, a joint resolution as to the constitutional power of the Executive for the removal of commissioned officers of the army and navy.

Mr. BROWN introduced a bill to authorize notaries public to take and certify oaths, affirmations, and acknowledgments in relation to the construction of a northern, a southern, and a central Pacific railroad and magnetic telegraph through the territories of the United States.

He also introduced a bill to organize the Territory of Arizona, and to create the office of surveyor general therein, to provide for the examination of certain land claims, to grant donations to actual settlers, to survey the public and private lands, and for other purposes.

Mr. PUGH introduced a bill for the improvement of navigation at the falls of the Ohio river; also, a bill to provide for a survey of the Ohio river, and its principles; also, a bill to authorize writs of error in all cases prosecuted by indictment.

Mr. CLAY, in pursuance of notice, asked and obtained leave to introduce a bill repealing all laws or parts of laws allowing bounties to vessels employed in the banks or other coastwise trade.

Mr. JONES introduced a bill making a grant of land to the State of Iowa, in alternate sections, to aid in the construction of a railroad from Keokuk to Fort Madison, through the southern tier of counties in said State, to the Missouri; also, a bill making a grant of lands to the same State, to aid in the construction of a railroad from McGregor's landing to the western boundary of said State.

The above bills were several times referred to the appropriate committees.

TREASURY NOTES.

Mr. HUNTER, from the Committee on Finance, reported a bill to authorize the issue of treasury notes; and as it was an important measure, and had the sanction of the Secretary of the Treasury, he asked that it might be immediately taken up for consideration.

Mr. SIMMONS did not see the necessity for the adoption of the measure, and hoped he would have an opportunity to examine the subject before being called upon to give his vote.

Mr. SEWARD hoped the bill would be read for information, and then the members of the Senate could judge better whether they were prepared to vote for it or not.

The bill was then read. It authorizes the President to cause such sums to be issued as the exigencies of the public service may require, but not at any time to exceed the amount of twenty millions of dollars, nor shall any notes be issued of a less denomination than fifty dollars. The notes are to be paid and redeemed at the treasury after the expiration of one year from their respective dates; and shall bear such rates of interest as shall be expressed upon their face. The first issue is not to exceed six millions of dollars, and the rate of interest thereon shall be fixed by the Secretary of the Treasury, with the approval of the President, in no case, however, to exceed six per cent. per annum. The residue shall be raised, in whole or in part, after public advertisement of not less than thirty days, as the Secretary of the Treasury may direct, by exchanging them at their par value for specie to bidders who shall agree to make the exchange

at the lowest rates of interest, not exceeding 6 per cent.; provided that after their maturity the interest on said notes shall cease at the expiration of sixty days' notice of the readiness to pay and redeem the same, which may at any time be given by the Secretary of the Treasury. Payment or redemption of such notes shall be made to the lawful holders thereof, respectively, upon their presentation at the treasury, including both principal and interest, and the faith of the government is solemnly pledged to the redemption of the notes. The bill also provides that no notes shall be pledged, hypothecated, sold, or disposed of in any way, for any purpose whatever, either directly or indirectly, for any sum less than the amount of principal and interest thereon. Said notes may be transferred by assignment, and shall be received in payment of all debts and taxes levied by the authority of the United States, and in payment for the public lands. Authority is also given to purchase said notes at any time, at the proper amount of principal and interest. The remainder of the bill relates to the details necessary to carry it into effect, providing penalties for forgery, &c.

Objection being made, the further consideration of the bill was postponed until to-morrow.

PUBLIC PRINTER.

The hour of one o'clock having arrived, the Senate proceeded to the election of a public printer. Before the balloting, however,

Mr. JOHNSON, of Arkansas, moved to reconsider the resolution adopted yesterday in order that he might insert a provision in it, to the effect that the right is reserved to Congress to change or modify any or all the existing laws on the subject of the public printing, if it shall deem proper, and that such modification shall afford no ground of any claim on the part of the public printer to indemnification therefor. The motion was agreed to, and the resolution changed accordingly.

The ballots having been received and counted, the result was announced as follows:

Whole number of votes—49
Necessary to a choice—25
Wm. A. Harris received—28
George M. Weston—18
Cornelius Wendell—1
Tr. C. H. Harris—1
Blank—1

Mr. Harris, having received a majority of all the votes cast, was announced as duly elected.

Mr. DOUGLAS remarked that he had not voted, for reasons satisfactory to himself.

After the consideration of executive business, the Senate adjourned.

HOUSE OF REPRESENTATIVES.

The House was opened with prayer.

After the reading of the journal,

Mr. LEIDY, of Pennsylvania, announced the death of his colleague, Hon. JAMES G. MONROE, in the following appropriate address:

Mr. Speaker, it has become my duty to-day to announce to you and to this House the death of my immediate predecessor, Hon. James G. Monroe, a member of the Thirty-fifth Congress for the twelfth district of the State of Pennsylvania. Mr. Monroe was born in Paradise, then in Northumberland county, in the State of Pennsylvania, in the year 1805.

When he had attained a proper age—having pursued his preparatory studies in the vicinity of his home—he entered Washington College, in Washington county, at which institution he graduated with honor in 1824. I believe a member of the same class with Gov. Wise, of Virginia.

Having completed his collegiate course, he immediately commenced the study of the law under the direction and instruction of the Hon. Albert Martin, formerly a member of this House, and a gentleman of deserved high reputation as well for his legal learning and talents as for general intelligence. In the year 1826 he was admitted to practice in the several courts of Columbia county, and soon rose to an honorable standing in his profession.

Shortly after his admission to the bar he was appointed district attorney for the county of Columbia, and for several years continued to discharge the duties of that office with credit to himself and to the entire satisfaction of the public. He continued the practice of the law successfully until the year 1835, when he reluctantly consented to become a candidate for member of the State legislature; he was nominated, and elected, and so well did he discharge the duties of that office, so ably acquit himself as a legislator, that, before the expiration of his first term, the public mind had fixed upon him as the next representative for the district on this floor.

Immediately after his return from the legislature he was appointed a delegate to the Cincinnati convention, in which he zealously labored, for and aided in the nomination of our present Chief Magistrate, having been one of his earliest and firmest friends.

When the time for making a congressional nomination in the district arrived, he was nominated as the democratic candidate for Congress for the twelfth district, and, at the ensuing election in October, 1836, was triumphantly elected by a majority exceeding 2,000; the largest majority which any candidate for Congress had received in the district for many years.

About the 1st of March, 1837, he visited Washington for the purpose of witnessing the ceremonies of the inauguration, and, as he was attending to the interests of his constituents at the organization of the new administration; and while here, stopping at the National Hotel, contracted that mysterious disease which has proved fatal to so many of the sojourners in this city on that occasion. He remained here a few days after the first symptoms of the disease manifested themselves, and, feeling that he was still growing worse, he returned to his home in Danville, to avail himself of the kind attentions of his family, and the services of his family physician, in whose skill he had the most unbounded confidence, in the hope of a speedy restoration to health. But in this he was disappointed; and after lingering for nearly two months, his disease having all medical skill, he departed this life on the 24th of April, 1837.

Mr. MONROE was a sound lawyer and able advocate, and well versed in all the general political questions of his day. He was fearless and free in the expression of his opinions, firm in his adherence to, and defence of, what he believed to be truth, and he had the rare quality of maintaining in combating error. He was a kind husband and father, a true friend, an estimable citizen, an honest man. I have thus briefly sketched so much of the history of his life and character as is proper for this time and place.

may, however, be permitted to add that, in the death of Mr. MONROE, not only have his family and his constituents suffered a most melancholy bereavement, but the people of his district, his constituents, who had so recently given him a most flattering testimonial of their confidence, have sustained a loss which they deeply feel and sincerely deplore. They have been deprived of the services of one of our eminent talents, and of a gentleman of such an honorable position on this floor, and whose integrity and social qualities would have secured for him the confidence and esteem of his fellow-men.

I stand not here to pronounce his eulogy; but, having known him intimately for many years, in all the relations of life, civil, social, and professional, I would here bear testimony to his worth as a citizen, his virtues as a man.

Mr. MONROE, at the time of his death, was about fifty-two years of age. He had entered upon public life with a mind well disciplined, and a judgment well matured, and with a constitution, physical and mental, which gave him promise of many years of usefulness and honor.

But, alas! how vain are all human expectations! How uncertain all human hopes! With the brightest prospects, and the highest hopes, in a day when he looked not for it, and in an hour when he thought not, he was stricken down by an unseen hand. The grave, which never with "it is enough," claimed him as a victim. The dust has returned to dust, and the spirit has gone to God, who gave it. He is dead! How solemnly this brief sentence falls upon the ear! How great, how fearful the change which it indicates in the condition of this subject! It is only a few more days, or a few more years, at most, shall have passed away, and other lips will pronounce, concerning him, the words which I have just said.

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of the people of his district, he would prove to have been a good selection, and to be entirely competent and equal to the performance of those duties.

The suddenness of his decease, and the cause which produced it, made him almost a martyr, in political position, to the cause which he had espoused; coming here, as he did, to witness, to him and to the whole people of Pennsylvania, an event in their history, to whatever party they may belong—the inauguration of a Pennsylvania President—contracted during that joyous tribute to the distinguished gentleman who fills the President's chair, a disease which was the cause of his death. Sir, it seems as if that in the midst of life, in the midst of health, surrounded though we may be with all the comforts of life, the unerring shafts of death may pierce us next. It admonishes us, "Be ye also ready, for in such an hour as ye think not the Son of man cometh."

I second the resolutions. I concur entirely in the tribute which has been paid to the memory of this distinguished gentleman, and regretting his decease, trust that the resolutions may pass.

Previously, however, without desiring to interfere in this mournful occasion, I would propose that when this House adjourns, it adjourn to meet on Monday next.

Before the adoption of the resolutions,

Mr. MARSHALL, of Kentucky, said that he regarded the practice of the House in adjourning on account of the decease of a member elect to Congress who had never taken his seat, and with whom none of the members had associated, as setting a wrong precedent. It was the first time in his congressional service that the attempt had been made to fix the precedent of adjourning the House on account of the death of one who had never been sworn in as a member of the body. He desired the gentleman from Pennsylvania distinctly to understand that these suggestions did not spring from any indisposition on his part to pay a tribute of respect to the memory of the deceased, but from a desire to get at the work for which the body had convened.

Mr. STEPHENS, of Georgia, remarked that this practice was sustained by the precedents of the House and the Senate. The gentleman from Kentucky was in error. In his opinion, the resolutions were due to the memory of one who had been elected to a seat in this House; therefore, he hoped that the House would conform to the precedent heretofore set.

The resolutions were then adopted; and the House adjourned.

PETITION, ETC.

By Mr. PHILLIPS: The petition of Mrs. D. Mims, praying the passage of a law authorizing the payment to her of certain amounts of loan, &c., &c.: referred to the Committee of Claims.

Mr. STEPHENS, of Georgia, moved, to to-morrow, to postpone the consideration of the bill to equalize the army, navy, and marine pensions.

COMPLIMENT TO HON. H. J. ANDERSON.

TREASURY DEPARTMENT,
Office of Commissioner of Customs, Dec. 4, 1857.

Sir: It is with sincere regret we learn that our official connection with you is about to terminate by your resignation of the office of Commissioner of Customs. We should do great injustice to our own feelings to permit the occasion to pass without expressing our sense of the ability with which your official duties have been discharged, the fidelity with which, during your official term, the public interests have been regarded and protected. At the same time we would express our gratitude for the gentlemanly consideration, courtesy, and kindness which have been so uniformly exhibited towards us both in your official and social intercourse. While punctuality, fidelity, and efficiency in the discharge of official duties have, under all circumstances, been required, nothing has occurred during the period of our connection to disturb or diminish the feelings of respect and kindness with which you have been regarded.

Of the relations which have existed between us we shall ever cherish the most pleasant and grateful remembrance, and in paying we respectfully and sincerely assure you of our kindest and heartiest wishes for your future prosperity and happiness.

Very respectfully,

Thomas Fernan,
John D. Bann,
J. Bartram North,
Wm. H. Codman,
Thos. E. Martin,
Louis Brand,
H. A. Lockwood,
Chas. E. Sherman,
William Miller,
Henry C. Stroman,
George Marston.

To H. J. ANDERSON, Esq.,
Washington, D. C.

WASHINGTON, Dec. 10, 1857.

GENTLEMEN: In acknowledging the reception of your friendly letter of the 4th inst. I beg to express my sincere thanks for the kindly spirit in which you have referred to our personal intercourse, and the complimentary and partial manner in which you have spoken of the performance of my official duties.

In retiring from the position which, during the period of more than four years, has brought me into almost daily association with each one of you, I may be allowed to express my gratification at the thought that the connection has been mutually agreeable, and the belief that our labors have not been altogether unprofitable to the government. To the diligence and fidelity with which you have discharged your official duties I take pleasure in bearing the fullest testimony, and I shall ever remember with the highest satisfaction the constant manifestation of personal respect and kindness from each one of you.

In dissolving an association so wholly unmingled with unpleasant recollections, I assure you I shall always retain a lively interest in your welfare, and offer you my best wishes for your future happiness.

With the highest regard, I am, your friend, &c.
H. J. ANDERSON.

To Messrs. THOMAS FERNAN and others, clerks in the office of commissioner of customs.

Thomas Penny died at the Naval Asylum, near this city, yesterday, aged 81 years. This gallant far was one of the crew of Commodore Perry's flag ship Lawrence, and fought most nobly on board that vessel until, owing to her disabled condition, it was determined that Commodore Perry should go on board the Niagara, where Thomas Penny was selected as one of the crew of the boat that was to convey his brave commander. The passage was effected amid a storm of round shot and grape, which splintered many of the oars and so shattered the boat that when it reached the Niagara it was in a sinking condition. The character of the service rendered by Thomas Penny in which this heroic seaman, Penny, acted his part with cool and determined courage, may be gathered from the fact that out of a crew of one hundred and three, fit for duty, twenty-two were killed and sixty-two wounded. The passage of Perry from the Lawrence to the Niagara, under the fire of the enemy in an open boat, was justly regarded as one of the most heroic and scarcely paralleled in the history of naval warfare, and it is but fair that the names of these devoted but humble men, who perilled their lives in the same enterprise, should be heralded to a grateful country. Thomas Penny was a true-hearted American sailor, and his meritorious best testimony to his many sterling traits of character both on sea and land.—*Philadelphia Pennsylvania*, Dec. 15.

The Buffalo Commercial contains the advertisement of the Lake Navigation Company for the sale of twenty of their vessels, owing to the embarrasments of the great commercial interests consequent upon the late financial crisis, cutting off the customary channels of accommodation.

The capital stock of the late Navigation Company paid in is \$771,000, which is principally invested in sixty-two first-class vessels of the largest size, and five superior tugs, to protect and facilitate by towing in the rivers and harbors—a fleet with sufficient capacity to move 1,000,000 bushels of grain each trip. The property of the company at a low valuation is said to exceed \$320,000, of which \$200,000 is for vessels purchased the present season, and most of which is not payable till 1858 or 1859.

DISCOVERY OF OLD AND VALUABLE MUSIC.—According to the Paris Press, there has just been discovered in the library of St. Mark, Venice, a collection of nineteen pieces of music in Stradella's own handwriting, remarkable for their melody and the extraordinary accuracy of the notation. It is believed that nothing survived of the works of this remarkable composer but the famous hymn he was singing in the Sixty Chapel at the moment the three assassins, despatched for the purpose by the patriots of Venice, were about to murder him.

WASHINGTON CITY.

FRIDAY MORNING, DEC. 19, 1857.

CONGRESS—THURSDAY.

SENATE.—A large number of petitions were presented and appropriately referred; also, several bills were introduced; of which notice had previously been given, the most important of which are the Pacific railroad bill, a bill organizing the Territory of Arizona, and a homestead bill.

A select committee was appointed, on the motion of Mr. Slidell, to investigate the condition of the banks of the District of Columbia; also, a select committee, on the motion of Mr. Gwin, on the subject of a Pacific railroad.

On motion by Mr. Trumbull, the credentials of Messrs. Bright and Fitch were referred to the Committee on the Judiciary, together with the protests presented at the last session against their right to their seats.

Mr. Hunter reported a bill to authorize the issue of treasury notes; which he will call up for consideration to-morrow. The Senate then elected Wm. A. Harris as Public Printer, and, after an executive session, adjourned.

HOUSE OF REPRESENTATIVES.—The death of Hon. John G. Montgomery, member elect from the twelfth congressional district of Pennsylvania, was announced to-day by his colleague, Mr. Leidy, who delivered an appropriate address. Mr. Florence, of Pennsylvania, also paid a tribute to the virtues of the deceased, and, after the adoption of the usual resolutions, the House adjourned.

ELECTION OF SENATE PRINTER.

The editor of the Union does not stop to inquire what is usual or customary on such an occasion, but, feeling grateful to his friends in the Senate, he hastens to tender them his sincere thanks for the election of Printer to that body, which they were pleased to bestow upon him yesterday. This mark of their confidence will inspire him continually with still greater zeal in the advocacy of those political principles which they and he entertain in common, while it will be his constant effort to perform the duty this election imposes in a faithful and acceptable manner.

He also makes his acknowledgments to his cotemporaries of this city for the very agreeable and complimentary terms in which his nomination for the office to which he has been elected was mentioned in their respective journals.

ARRIVAL OF THE VICE PRESIDENT.

The Hon. John C. Breckinridge, the Vice President of the United States, reached Washington yesterday morning from the South. He has his quarters at Brown's Hotel.

WHAT IS POPULAR SOVEREIGNTY?

We fear that some of our democratic friends are falling into a fundamental error as to the true meaning of territorial popular sovereignty. This doctrine was incorporated into the democratic platform as the best constitutional solution of the slavery question. Until recently, we had supposed that there was an entire unanimity of sentiment as to its purpose and meaning. Abolitionists controverted it in its inception, and maintained that Congress alone possessed sovereignty in the Territories. They were forced to maintain this tyrannical principle in order to uphold the power which they claimed for the prohibition of slavery in the Territories. The public mind revolted at such an outrage on the great fundamental principle of American republicanism. It was the assertion of the doctrine of unlimited legislative power, against which our fathers protested, and finally resorted to arms.

When driven by the force of argument and public sentiment from this despotic assertion of congressional power, abolitionism went to the other extreme, and sought to make the doctrine of popular sovereignty subservient to its schemes for resisting and overthrowing all law and order in the Territory of Kansas, and of justifying open and flagrant acts of insurrection and rebellion. It was under this pretext that the authority of the regularly-constituted legislative assembly of Kansas was defied and resisted. It was on no other ground than a perversion of this doctrine that the Topeka convention applied to Congress to have its constitution recognized and the State admitted. It is upon the same misconception of popular sovereignty that abolitionism now resists and denounces as invalid the organization and action of the late Kansas convention.

If the democratic party has a plank in its platform on which fanaticism can stand and resist the authorities provided for the government of a Territory—if the doctrine of territorial self-government can enable faction to run riot over law and order, and to commit crimes of the deepest dye with impunity—in a word, if popular sovereignty is to be made a successful cloak for insurrection, rebellion and treason, it is high time that it be torn from our platform and rejected with universal scorn. But our political creed contains no such cloak for crimes and criminals, and the time has come once more when all true democrats should step forward to vindicate their faith. It is no more reason for us to repudiate popular sovereignty because bad men pervert it to criminal purposes than it would be to repudiate liberty because fanatics and demagogues seek to shelter their offences against the public good under the name of freedom.

Let us understand distinctly what is popular sovereignty, and we can have no excuse for falling into the "fundamental error" of supposing that the resistance now being made in Kansas to the proceedings of its late constitutional convention can be justified on the doctrine of territorial self-government. The people of Kansas have the right to regulate their domestic institutions in their own way, subject only to the constitution of the United States. That is the general definition of popular sovereignty. It is not meant that every individual one of this people has a right to commit crimes with impunity. It is not meant that any number of individuals of this people have the